

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR
PUERTO RICO,**

As representative of

**THE COMMONWEALTH OF
PUERTO RICO**

Debtor

PROMESA

Title III

No. 17 BK 3283-LTS

MOTION REQUESTING RELIEF OF STAY

TO THE HONORABLE COURT:

COMES NOW the creditor Javier Pérez Rivera, represented by the undersigned counsel, and respectfully states and prays as follows:

1. On May 6, 2016 Claimant Javier Perez-Rivera (See Proof of claim number 6) filed before Puerto Rico's Superior Court a claim of discrimination, retaliation and illegal practices against his employer, the Department of Labor and Human Resources, an agency of the Commonwealth of Puerto Rico.
2. On September 9, 2016, Claimant Javier Perez-Rivera filed a request for arbitration before the Appellate Commission of the Public Service (CASP for its acronym in Spanish). (See proof of claim number 6). Mr. Pérez-Rivera claimed before CASP that his discharge from the Department of Labor and Human Resources was unjustified. In the case before CASP, Mr. Rivera-Perez requests his restitution to employment and backpay.
3. On April 10, 2017, was performed the arbitration hearing before CASP. Nevertheless, the arbitration award has been paralyzed.
4. Both cases are stayed because the filing of the captioned case.

5. Mr. Perez Rivera is not a public bonds investor, neither a creditor of the Commonwealth.
6. Mr. Perez-Rivera's claims does not have any relation with the debts that prompted PROMESA.
7. The stay of Mr. Pérez-Rivera claims cause irreparable damages, since he is without employment to support the needs of his family and himself.
8. Mr. Pérez-Rivera request to this Honorable Court the lift of the stay in order to regain his employment and the means to make a living.
9. Furthermore, the Mr. Pérez-Rivera's claim is not necessary in this case. Neither PROMESA was drafted in order to manage employment claims.
10. 11 U.S.C. Sec. 362 (d)(1) states that:
 - (d) On request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section, such as by terminating, annulling, modifying, or conditioning such stay—
 - (1) for cause, including the lack of adequate protection of an interest in property of such party in interest;
11. The stay of Mr. Pérez-Rivera's claims causes irreparable damages and neither is necessary for the adjudication of the PROMESA's claims.

WHEREFORE, Movant respectfully requests that the Court enter an order granting relief from the automatic stay allowing Mr. Perez-Rivera employment cases to continue and further reliefs as the Court deems proper.

CERTIFIED: That copy of this motion has been filed through the CM/ECF system, which will serve notice electronically to all counsel of record in the case.

In San Juan, Puerto Rico, June 19, 2017.

s/ Pedro J. Landrau López
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